

OBSERVATIONS
ON THE
PROCEEDINGS
Of the last
SESSION of PARLIAMENT.

To which are annexed,
Exact Copies of several valuable BILLS;

VIZ.

That for disabling Pensioners from Sitting and Voting;
that for obliging all Proceedings at Law to be in the *English*
Language, &c. &c. &c. With a Copy of the LORDS PROTEST
on the 2d rejecting the PENSION BILL.

A L S O A

True State of the National Debt, provided or un-
provided for by Parliament, as it stood the 31st of *December*
1729, and the 31st of *December* 1730, with the Produce of the
sinking Fund in that Year, and to the Payment of what Debts
the said Fund has been apply'd.

LIKEWISE

An Account, shewing how the Monies given for the
Service of the Year 1730 has been dispos'd of, distinguish'd
under the several Heads, until the 5th Day of *February* 1730-1,
and the Parts thereof remaining unsatisfy'd, and the Deficiency
thereupon.

A L S O

An Account of the Produce of the Land Taxes for
the Years 1721, 22, 23, 24, 25, 26, 27, 28, 29, and 30; with
the exact Charges of Interest, and other Deductions which
have been made thereout.

L O N D O N:

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3 H T M O

Of the left

to which are annexed

Exact Copies of several valuable Bibles.

1. The first thing I noticed when I stepped out of the plane was the cold air. It was a sharp contrast to the warm, humid air of the tropics. I had heard that the weather in the north was harsh, but I didn't realize how cold it would be. The wind was biting, and the sun was a pale, distant glow in the sky. I wrapped my coat around myself and tried to ignore the shivers running down my spine. The ground beneath my feet was a mix of dirt and snow, and the trees were bare and skeletal. I had never seen anything like this before. It felt like I had entered a different world, one that was both beautiful and terrifying. I took a deep breath and tried to steady myself. I was here now, and I had to make the best of it. I looked up at the sky and saw a few birds flying in the distance. They seemed so small and fragile in the vast, open space. I wondered if they were as cold as I was. I shivered again and pulled my coat tighter. I had to get used to this. I had to learn to survive in this new world. I took another deep breath and tried to focus on the task at hand. I had a long journey ahead of me, and I had to be ready for whatever came my way. I looked down at my hands and saw that they were numb. I rubbed them together and tried to get some feeling back into them. I had to keep going. I had to keep moving forward. I took a step forward and then another. I was walking now. I was walking through the cold, open landscape. I was walking towards the future. I was walking towards the unknown. I was walking towards the end of the world.

An Account of the ...
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THE OCEANOGRAPH

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OBSERVATIONS ON THE PROCEEDINGS Of the last SESSION of PARLIAMENT.



Not only the Constitution of *Great Britain* in general, but the Happiness of every individual *Englishman*, depends in a great Measure upon the Transactions of the Parliament, no Man can be too attentive to their Proceedings; and I believe the original Reason of the Votes of the *Honourable House of Commons* being printed, was, That every Borough, City and County, might have timely Information of what Bills were before the House, in order to their making proper Remonstrances to their respective Representatives, how they should behave themselves with Respect to every particular Bill.

If this was the Design of publishing the *Votes* (as I imagine it was) it shew'd the Wisdom of our Ancestors; but in order to render their Care and Precautions more effectual, it were to be wish'd that, in all Debates which affect the Welfare of the Publick, authentick Lists were to be publish'd of the Behaviour of every individual Member, that whenever they happen'd to stand Candi-

dates again, the Electors being thoroughly apprized of their Demerits, might accordingly return or reject them.

If that were to be the Case (as undoubtedly it ought to be) and no *secret Influence*, however *weighty*, were allow'd to prevail, I don't in the least question but the Borough of *Heydon* wou'd reject Mr. P—lt—ney with Disgrace the very next Election; and the Inhabitants of *Lynn Regis* would strive with commendable Emulation who shou'd be the foremost to vote for Sir R—W—le, as they have constantly done hitherto, to their *immortal Honour*.

When it was the Custom for Parliaments to be annual (sorry am I it is not the Custom still) the being deceiv'd in the Choice of a Representative, or even the choosing one that was unworthy, though it was always undoubtedly of great Importance, yet was not of such infinite Consequence as at present; besides, the Members being to be elected anew every Year, and being to sit for such a very short Time, it was a sort of Security to their Electors for their good Behaviour, since otherwise they must never have expected to be chosen again.

When Parliaments were triennial, the Case indeed was something alter'd for the worse; but even then a Party cou'd not be easily form'd the first Session, by reason the Committee of Elections rendered it uncertain whether the return'd Member wou'd be judg'd legally chosen; and as for the last Session, the fear of not being elected the ensuing Parliament, was a Curb which restrain'd the Members from passing any Bills which were *flagrantly destructive of the publick Welfare*, however conducive they might be to their own private Interest.

But the Septennial Parliament made in the Reign of King George I. of *immortal Memory*, has made an *Alteration indeed* in our Constitution, and advanced the *House of Commons* to a State of Independency upon their Country, little inferior to the *House of Lords*, since by the same Rule by which they continued themselves for seven Years, they may, if they please, and God knows what may happen, continue themselves for 27. For this Reason I shou'd have been greatly surpris'd how the Lords came to pass the Septennial Bill, had not their rejecting another Bill of equal Importance the two last Sessions, taught me not to be surpriz'd at any thing.

This brings into my Head a Story of King James I. which may not be disagreeable to some of my Readers, although I dare not venture to flatter myself, that all of them will like it. However, they must take it as it is, for I did not make it. This Prince coming to the Crown after the Demise of the glorious Queen Elizabeth, and not being perfectly acquainted with the *English Constitution*, ask'd some Courtiers, who were sent to *Edinburgh* to in-
vite

vite him into *England*, amongst other Things, *Do I make the Judges?* Yes, an't please your Majesty; *And do I make the Bishops?* Yes; Then, said he, *I will have what Law, and what Gospel I please.*

Whether this might be the Reason, in the succeeding Reign, of the House of Commons being so averse to Bishops, that they wou'd not have allow'd them to sit in Parliament, I won't pretend to determine; but if it was, I will venture to say, the Fault was in the Bishops themselves, and they had not so much Understanding as in the present *blessed Age* (perhaps they did not keep a good Correspondence with the *Treasury*); if they had, they might have pass'd Bills or rejected Bills, or even have *Speech'd* against Bills for preventing Corruption, yet never have incurr'd the Displeasure of that *most honourable House*.

But to return from whence I have digress'd: What Opinion our Ancestors (and they were no Fools) had of the Office of Member of Parliament, we may gather from hence, that they paid them so much *per diem* for their Trouble; and it was so far from being a desirable Office till of late Years, when *secret Influence*, as well as *secret Service*, came in play, that any one wou'd have been glad to have been excused.

But then indeed I must confess, that half a Dozen new Treaties in half a Dozen Years, wou'd not have been easily digested; that a Treaty that leaves all our Possessions precarious, wou'd never have been endured; that a Minister who defends the Publick to aggrandize his Family, wou'd have been call'd to a severe Account; that 115,000 l. swallowed at one Gulp, wou'd have gone damnably against the Grain; and neither a Chancellor of the Exchequer, or a First Lord Commissioner of the Treasury, wou'd have dared to trifle with the Rage of an injur'd People, or to have advis'd *Spithead* or *West-India* *PADLOCK* Expeditions. No; the Lives of two brave Admirals, and 1000 Sailors, wou'd then have been valued more than that of any roguish Statesman in *Christendom*, and the Honour of the Nation consulted before the Safety of a M—r; but *Tempora mutantur, & nos mutamur in illis*.

By the by; whilst I am upon the Article of 1000 Sailors, I much question whether they wou'd not have been maintain'd at a lesser Expence, and have been a greater Safeguard to *Great Britain* (whatever they might be to some other Places) than 12000 *Hessians*; but of that more hereafter.

And here I can't help congratulating my Countrymen upon the Improvements they have made in point of Manners of late Years; the *French* Court used formerly to be esteem'd the most polite and best bred Court in the Universe; and as for us, we were counted so savage, that *Horace*, don't mistake me, I don't mean *H—ce W—le*, was pleas'd to call us *Britannos Hospitibus feros*; but
now

now thank *H—ll* we are so much chang'd for the better to what we were, even so lately as in the Days of that *Clown*, *John Duke of Marlborough*, who used to beat the *French* into good Manners, that rather than quarrel with our good Neighbours *East, West, North or South*, we will grant them any Trifle they are pleas'd either to desire or take.

Thus, tho' the Demolition of *Dunkirk*, and the securing the Possession of *Dunkirk* and *Port Mabon* were allow'd by some Gentlemen, who clamour'd against the Peace of *Utrecht*, to be great Advantages, and indeed the only Advantages we reap'd by that Peace, yet a certain Person who shall be nameless, was pleas'd to hint at surrendring the one for an *Equivalent*, and to connive at the Reparation of the other.

As for *Santa Lucia*, I shall not mention that; for who the Devil wou'd be reproach'd in these polite Times with quarrelling for a *Paltry Island*, as the *Athenians* are by *Dean Swift*, for quarrelling with *PERICLES* for a few *Paltry Accounts*? As to Trade, tho' that may seem of some Importance to the *Canallie*, the *Bourgeoisie*, yet what is that amongst Gentlemen? For this Reason, I suppose, two *Ostend Ships* are allow'd to be sent to the *Indies*, of what Measure the Emperor pleases, when he pleases, to return when he pleases, and their Goods that are brought back to be sold when he pleases. As there is Money enough in *Great Britain*, especially in the *County of Norfolk*, we need not be much troubled about the Delivery of the Effects of the *Flotilla*, or the Deficiencies that may arise upon that Delivery; and as for Satisfaction being made to our Merchants, thank Heaven, they want none, and Trade flourishes; why are not old *Sir G—t H—e* and *Sir J—n E—s* worth above 3 *Plumbsapiece* by the beneficial Trade of Stock-jobbing? What then signifies the Trade to *Spain*, the *West Indies*, or the *Levant*?

But, as the *Hyp-Doctor* says, I am almost sick of *Politicks* and myself, wherefore I will hasten towards a Conclusion, and only examine impartially of what Service the *Hessian Forces* can be to *Great Britain*, how they came to be first taken into Pay, and why by the Wisdom of a Majority they are still continued, although we never yet were in a State of Warfare with his Imperial Majesty. First then, as near as I can remember, they were taken into Pay on Account of *Ripperda's Treaty of Vienna*, for the Security of the Dominions of ——— *Great Britain*, if the Emperor with his formidable Fleet should think fit to invade them, or *Spain* should send another Armada against us, in which Case they were all ready provided with *Cork Shoes* and *Swimming Girdles*, to have march'd over the Ocean to our Assistance. This at once shews what Service they are to *Great Britain*, and why they were taken
into

into Pay: Come we now (as the Parsons say in their Sermons) to why they are still continued. This is so obvious to every *true Englishman*, that were it not to confound the Cavils of a few Malecontents, I wou'd not vouchsafe it an Answer; Why the *French* are *damnablely disgruntled* at our *wise, prudent and salutary TREATY* of VIENNA; wherefore, lest they should think fit to resent it openly, and come to a Rupture with us, it was thought proper to keep them, *being near at Hand*, in readiness to fly to our Assistance.

But I had forgot, and must beg leave to trespass upon my Reader's Patience for another Article, and that is, to inquire how the Pension Bill came to be rejected by a *Reverend Bench, who most certainly have the Interest of their Country very near at Heart*. I must beg leave to answer this, because some *disaffected Scoundrels* have thought fit to misrepresent those worthy Prelates, as lying under a *malignant Influence*.

To clear up the Matter then; the learned Gentlemen who were for rejecting this Bill, were pleas'd to say, that it is not consistent with the King's Dignity to disable those upon whom his Majesty thinks fit to confer his Favours from sitting in the *House of Commons*; that it is in Effect telling him, that his Friends are not fit to be trusted, and that there is no Reason that because a Gentleman has been rewarded for serving his Country, he shou'd be render'd incapable of serving it any longer.

Besides, say they, they wou'd be rendering the *House of Commons* independent of the Crown, and that is, not agreeable to the Constitution of *Great Britain*, and may one Time or other produce very mischievous Consequences. The *Hyp-Doctor* Number X, says, *Totidem verbis*, that the *Pension Bill* was modestly telling the King, that those whom he judg'd his best Friends, deserv'd to be *turn'd out of the House*; thus the sacred Name of his Majesty is brought into the Dispute to make any Answer impracticable: He adds, that the *English* Parliament originally consisted of none but *Pensioners*.

I thank him for this Information; I must confess I did not know that the Allowance paid by each Borough to its Representatives to defray their Expences, was to be deem'd a *Pension*; and I always thought that the *Independency* of the Parliament upon the Crown, was the only Security the People of *England* had for their Liberties; for whether a Prince be absolute by himself, or whether he be so by the Dependency of the Parliament, in my humble Opinion the Freedom of the Subject is effectually destroy'd.

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There is no body, I believe, will maintain, that the *French* are a *Free People*, and yet they have their *Parliaments* as well as the *People of Great Britain*: But there is no Position so absurd, which some Persons will not venture to maintain, provided they can get any thing by it, and are well paid for it; wherefore, as such Gentry are incorrigible, and not to be convinc'd by Reason, I shall leave them for the future to prostitute their Pens as they think fit.



The

I thank him for this Information: I must confess I did not know that the Allowance paid by each Member to the House of Commons was to be drawn in Advance; and I always thought that the Allowance was to be drawn from the Treasury: I was the only Member of the House who was not a Member of the House of Commons; for whether a Prince be admitted by himself, or whether he be so by the Dependence of the Parliament, in my humble Opinion the Freedom of the Subject is essentially destroyed.

The Lords PROTEST.

On the Second Rejecting of the *Pension Bill*:

To which is added, a Copy of the said Bill, and their Reasons (now referr'd to) against rejecting it last Year.

Die Martis, 2do Martii, 1730.

HODIE 2da vice lecta est Billa, An Act for making more effectual the Laws in being, for disabling Persons from being chosen Members of, or voting in the House of Commons, who have any Pension during Pleasure, or for any Number of Years, or any Offices holden in Trust for them, by obliging Persons hereafter to be chosen to serve for the Commons in Parliament, to take the Oath therein mentioned.

Proposed to commit the Bill.

After long Debate,

The Question was put, Whether the said Bill should be committed?

It was resolved in the Negative.

Then the Question was put, Whether the said Bill should be rejected?

It was resolved in the Affirmative.

Dissentient

1. **B**ECAUSE the Reasons which were entered on our Journals last Session for the Commitment, and against the Rejection of this Bill, can, in our judgment, have nothing of Weight said against them, as we think they want little to be added to them; tho' they seem to us to be strengthened on this Occasion, lest our second Refusal to concur with the House of Commons, in what solely regards their own Members, and without any Arguments offer'd to them in a Parliamentary way for that Refusal, should be look'd upon by them as unkind, if not an unprecedented Treatment, and should, in the Opinion of many disinterested Lovers of our ancient Frame of Government, too justly create in them a Resentment that might interrupt the Harmony between the two Houses, which is necessary for carrying on the most important Affairs of the Nation.

2. Because the Commons seem'd to think this Bill is wanted, and we are perswaded it is earnestly desired by the People, and so wisely contrived, by a solemn and strict Oath of Purgation, to guard against secret Corruption in that Place, where, if ever it should be prevalent, its Consequences would be most pernicious and extensive

five, that we fear we should be exposed to some uncharitable Suspicious, if we did not in this most authentick manner the Constitution of Parliament will allow, from a becoming Zeal to hinder the Infection of so mischievous an Evil from spreading among others, give an undeniable Proof that we are untainted with it ourselves.

3. Because a Member of Parliament, who is not ashamed to accept a Gratuity for any Service which he is ashamed publicly to avow, must be conscious to himself (as we fear) that he is guilty of an immoral Action, and therefore we conceive ourselves not only obliged in Policy, but in Conscience, to yield our Assent to a Bill, that, as far as we could apprehend upon the most mature and serious Reflection, contains a proper Expedient in this limited Monarchy, to preserve both the Innocence and Independency of elected Legislators, and that we had reasonable Hopes would, in a great Measure, have prevented the Danger of an infamous Breach of a Trust of the highest Nature, reposed in every single Member of the lower House; for the Benefit of the whole Community, which we think a Crime ought to be dreaded by us, as good Patriots, and that we are bound to abhor, as Sincere Christians.

4. Because we cannot but with Grief of Heart lament the Loss of that Opportunity, which, by enacting this Bill into a Law, we assure our selves his Majesty would have embraced with particular Satisfaction, of demonstrating to all his Subjects, that he is incapable of suffering an improper Use to be made, by any of his Servants, of that large Revenue, which a Parliament liberal beyond any Example of their Predecessors, so chearfully gave him, or of entertaining the least Thought himself to the Prejudice of the Liberties or Properties of his People, by any unjustifiable Influence on their Representatives.

<i>Berkshire</i>	<i>Gower</i>	<i>Warrington</i>	<i>Bristol</i>
<i>Bruce</i>	<i>Abergavenny</i>	<i>Aylesford</i>	<i>Coventry</i>
<i>Plymouth</i>	<i>Willoughby de Br.</i>	<i>Abington</i>	<i>Bridgewater</i>
<i>Bedford</i>	<i>Strafford</i>	<i>Maynard</i>	<i>Boyle</i>
<i>Foley</i>	<i>Northampton</i>	<i>Bathurst</i>	<i>Oxf. and Mortim.</i>
<i>Gainsborough</i>	<i>Thanet</i>	<i>Cadogan</i>	<i>Ancafter Gr. Cha.</i>

A BILL for making more effectual the Laws in Being, from disabling Persons from being chosen Members of or sitting or voting in the House of Commons, who have any Pension during Pleasure, or for any Number of Years, or any Office holden in Trust for them, by obliging Persons hereafter to be chosen to serve for the Commons in Parliament, to take the Oath therein mentioned.

May it please Your most Excellent Majesty,

THAT it may be Enacted, and be it Enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the 24th Day of June, 1731, no Person who shall be elected a Member to serve in the House of Commons, shall vote or sit in the said House, during any Debate there, after their Speaker is chosen, until such Member shall from Time to Time, and in Manner following, first take the Oath herein after mentioned, and subscribe the same in a Parchment Roll, to be provided by the Clerk of the House of Commons for that Purpose, viz.

I A B. do solemnly and sincerely swear, that I have not directly or indirectly, any Pension during Pleasure, or for any Number of Years, from the Crown, nor any Office in Part, or in the whole, from the Crown, held for me, or for my Benefit, by any Person whatsoever: And I do solemnly and sincerely promise and swear, that I will not receive, accept, or take directly or indirectly, during the time of my being a Member of this Parliament, any Pension during Pleasure, or for any Number of Years, or any other Gratuity or Reward whatsoever, or any Office from the Crown, to be held for me, or for my Benefit in Part, or in the Whole thereof by any Person whatsoever, without signifying the same to this House, within fourteen Days after I have received or accepted the same, if the Parliament be then sitting, or within Fourteen Days after the next Meeting of the Parliament. So help me God.

Which said Oath shall be in this and every succeeding Parliament, solemnly and publicly taken and subscribed by every such Member of the House of Commons, at the Table in the middle of the said House, at the same time that he takes the other Oaths by Law directed to be taken, whilst a full House of Commons is there duly sitting with their Speaker in his Chair.

And be it further enacted, that if any Member so taking the Oath, and subscribing as before directed, shall, at the time of

taking the said Oath, have any Pension during Pleasure, or for any Number of Years, or any Office from the Crown, in Part, or in the whole, held in Trust for him, or for his Benefit, or shall, during his being a Member of Parliament, accept, receive, or take the Pension during Pleasure, or for any Number of Years, or any other Gratuity or Reward whatsoever, any Office in Part, or in the whole, to be held for him, or for his Benefit, from the Crown, without signifying the same to the House, as aforesaid, such Member shall be, and is hereby adjudged and declared to be guilty of Wilful and Corrupt Perjury, and being thereof convicted by due Course of Law, shall incur and suffer the Pains and Penalties which by the Laws and Statutes of this Realm are inflicted in Cases of wilful and corrupt Perjury, and shall from thenceforth be incapable of taking, or enjoying any Office whatsoever.

And be it further enacted, that if any Member elected as aforesaid, shall refuse or neglect to subscribe the Oath as before directed, the Place for which such Member was elected, is hereby, without any other Conviction or Proceeding, declared void to all Intents and Purposes, as if such Member was naturally dead.

And be it further Enacted, That in Case any Member shall presume to sit or vote in the House of Commons, after the Speaker is chosen, without taking and subscribing the Oath herein before mentioned, such Member shall forfeit the Sum of Thirty Pounds for each Day he shall sit and vote as aforesaid, to be recovered and received, with full Costs of Suit, by him or them, who shall sue for the same, and to be prosecuted by any Action, Suit-Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance, shall be admitted or allowed, and shall from thenceforth be incapable of taking, holding, or enjoying any Office or Employment of Profit or Trust under his Majesty, his Heirs or Successors.

Provided always, and it is hereby declared and enacted by the Authority aforesaid, that no Person shall be made liable to any Disability, Incapacity, Forfeiture or Penalty by this Act laid or imposed, unless Prosecution be commenced within one Year next after the Dissolution, or other Determination of the Parliament in which such Disability, Incapacity, Forfeiture, or Penalty shall be incurr'd; or, in case of a Prosecution, unless the same be carried on without wilful Delay, any thing herein contained to the contrary notwithstanding.

The Reasons given by the Lords against rejecting
the Bill last Year.

Die Sabbati 21mo Martii, 1729

HODIE 2da vice lecta est Billa, entitled, *An Act for making more effectual the Laws in Being, for disabling Persons from being chosen Members, or Sitting or Voting in the House of Commons, who have any Pension during Pleasure, or for any Number of Years, or any Offices holden in Trust for them, by obliging all Persons hereafter to be chosen, to serve for the Commons in Parliament, to take the Oath therein mentioned.*

Propos'd to commit the Bill.

After a long Debate thereupon.

The Question was put, Whether this Bill shall be committed?

It was resolved in the Negative.

Dissentient

1. Because all Objections against particular Causes or Expressions in the Bill, would have been regularly the Subjects of Debate in a Committee, and might have been removed, if it should have appeared necessary, by making such Amendments to the Bill, as the Wisdom of the House should have thought proper.

2. Because we conceive the general Design of this Bill to be highly reasonable, and of the greatest Importance to the Constitution of Parliaments, and are therefore extremely concern'd, it should not receive even the Countenance of a Commitment, when the House of Commons, who alone would have been immediately affected by it, had pass'd it, and, as we apprehend, with so much Regard to their Country, and so much Honour to themselves.

3. Because this Bill does, in Effect, enact nothing new, since it only enforces the Observation, and prevents the Evasions of former Laws, which were judg'd necessary for the publick Good, by so many Parliaments, and which we do not apprehend, that our Experience since, has given us Reason to look upon as less necessary for the same Purposes at this Time. By one of these Laws, no Person who has a Pension from the Crown during Pleasure, can sit in the House of Commons; but the Effect of this Law was, or might have been evaded in great measure, by Grants of Pension for certain Terms of Years, whereof we presume that Examples have not been wanting. To remedy, or prevent this Abuse, it was enacted by another Law, That no Person who enjoys a Pension from the Crown for any Number of Years, shall sit in the House of Commons, under certain Penalties therein mentioned; but the Effect of this Law likewise is, or may be, entirely evaded several Ways. It is, or may be, evaded, by giving

ing occasional Gratuities, or making annual Presents, which will not be construed to fall under the Denomination of Pensions; and which are known in their Nature, and must be in their Effect, manifestly the same. It is, or may be evaded also, by the Difficulty of discovering and convicting those who presume to break it, since there is Ground to believe, by what has happened lately in this House, as well as on some other Occasions, that the Commons would find it difficult to obtain these Accounts, which can only shew what Pensions are paid to particular Persons. We observe farther, that by the Laws now in Force, all those who hold certain Offices therein specified, as well as all those who hold any Offices erected since that Time, are made incapable of sitting in the House of Commons; and that whosoever accepts of any Office or Employment under the Crown, cannot sit in that House, till he has been re-elected. Now, it appears to us, that all those good and laudable Provisions, may be rendered (*useless*) fruitless; that the House of Commons may be fill'd with Persons who are by Law incapable of sitting there, that the Electors may be deprived of that reasonable Option which the Law has given them, whether they will trust the same Person to represent them after he has accepted an Employment, whom they elected to represent them when he had none; and that all this may be effected by the single Expedient of getting an Office or Employment to be held by some Person who is not a Member of the House of Commons, in Trust for who is. We shall not determine on publick Fame, or private Suspicion, whether all, or some of these Abuses and Evasions of so many Acts of Parliament have prevailed, or not; but since it is evident, that they may be easily introduc'd under a corrupt Administration, we must be of Opinion, that a Law which would prevent them as effectually, as we believe the Bill sent up by the Commons would have done, could not have met with too great Encouragement from this House, nor have been passed too soon.

4. Because it appears to us, that the Arguments against this Bill, drawn from the Necessity of Expediency of preserving an Influence to the Crown, by the Power of rewarding, are either not at all to the present Purpose, or else are applied to prove, that an Influence guarded against by so many solemn Acts of Parliament. should be admitted by the Connivance of Parliament. And we think it would be much more for the Honour of this House, if these Arguments were of real Weight, to be prevailed upon by them, directly to repeal the Laws above mentioned, than by rejecting a Bill design'd to render these Laws effectual, to seem, as we apprehend, to approve all the Evasions of them which have been, or can be invented, or put in Practice.

5. Be.

5. Because we think, that altho' this Bill tends to restrain any illegal and dangerous Influence over the House of Commons, yet it leaves such an Influence intire to the Crown, as will appear at least sufficient, when we consider, that there are in the present House of Commons hardly less than Two hundred Members who hold such Offices and Employments under the Crown, as would have continued to be tenable by them, if this Bill had passed, and even the Power of granting Pensions for Life to Members of Parliament openly, would have still remain'd in the Crown.

6. Because, strictly speaking, all influence over either House of Parliament, except that which arises from a Sense of those Duties we owe to our King, and to our Country, are improper; and the particular Influences which this Bill was intended to prevent, are not only improper, but may, and naturally must, in Course of Time, become extreamly pernicious, both to the Crown and to the People. For first, Altho' this Influence appears to be that of the Crown, it may become virtually that of the Minister, and be applied to deceive the Prince, as well as to oppress the People; if ever a corrupt Minister should have the Disposition of Places, and the Distribution of Pensions, Gratuities, and Rewards, he may create such an Influence, as shall effectually deprive the Prince of the great Advantage of shewing the true Sense of his People. And a House of Parliament being prevail'd upon to approve such Measures as the *whole Nation dislikes*, so may be confirm'd in the pursuit of them, and for the Sake of an *unworthy Servant*, lose the Affections of his People, whilst he imagines that he both deserves and possesses them. In the next Place, if ever this improper Influence should obtain a certain Degree of Strength, these terrible Consequences must inevitably follow from it, That the worst Proposals for the Publick will be the most likely to succeed, and the weakest Minister will be the best supported. The Reason whereof we take to be extreamly plain, since this improper Influence may be directed to any Purpose whatsoever, and will always be most expected where it is most wanted, in the Support of ill Measures, and weak Ministers.

7. Because we agree, that as *National*, or other Services, have expos'd the Crown to any new Danger, the Security of Fidelity and Allegiance given by the Oaths of the Subjects to the Crown, has been increas'd from Time to Time; and we therefore think, that, by a Parity of Reason, some greater Security than was formerly exacted, should be now given to the Nation by their Representatives, for a faithful Discharge of the Trust reposed in them, because this Trust, which is the same as it was in every other Respect, is come to be much greater than it was, in respect

to

to those heavy Taxes which have for many Years past, and which, as we fear, must be for all succeeding Times, annually laid by Parliament on the People, as well as to those immense Debts which have been contracted, and which we apprehend to have annually increas'd upon the Nation. The Service of the House of Commons was formerly a *real* Service, therefore often declin'd and always paid for by the People: It is now no longer paid for by the People; and yet, far from being declin'd, it has been courted and sought after at great Expence. How far these Considerations, together with that of the vast Increase of the 'Civil-List Revenue, and of the Debts contracted on it in former Reigns, deserve to enforce the Reason for exacting some new and strong Engagements from the Members of the House of Commons, to those whom they are chosen to represent, is we think, sufficiently obvious.

8. Altho' it must be allowed, that the multiplying of Oaths without great and evident Reasons, ought to be avoided, yet an Oath being the most solemn Engagement which Men can be laid under, we judge it, on that very Account, the more proper to be impos'd, upon this important Occasion, nor will the Probability of its being broke thro' by the Iniquity of Mankind, be an Argument of great Force against the Bill, than against any other Law made for preventing any other Crime whatsoever.

Huntingdon	Foley	Warrington	Massam	Oxford and
Northampton	Craven	Abington	Bruce	Mortimer
Bathurst	Thanet	Boyle	Strafford	Litchfield
Sunderland	Plymouth	Hereford	Beaufort	Maynard
Gower	Montjoy	Coventry	Berkshire	Bristol.
Aylesford	Ker			

Then the Question was put, Whether the said Bill shall be rejected?

It was resolved in the Affirmative.

Dissentient

1. Because the evident Intention of this Bill, was only to make a farther Advance towards gaining that good End, which the Legislature hitherto has, we fear, too weakly endeavour'd to compass, *The Prevention of Corruption*; which, it must be owned, is an Evil of so mischievous a Nature, so apt to spread and grow epidemical, that a wise and virtuous People will apply the most timely and most effectual Remedies that can be devised for the Cure of it; since a Nation once infected must soon get the better of so contagious a Distemper, or it will soon get the better of the Nation.

2. Be-

2. Because we can hardly frame in our Minds a more reasonable Method, than the Sanction of such an Oath of Purgation as was intended to have been taken by all the Members of the House of Commons, if this Bill had passed into a Law, to preserve that part of the Legislature pure and free from that kind of Bribery, which seems from the Nature of it to be the most pernicious, a *secret and unavow'd Pension*; or what, however different in Name, would, we fear, be too much the same in Effect, an Office in Trust, or a clandestine Gratuity.

3. Because the Act of Parliament which passed last Year, tho' it contain'd some excellent Provisions against Bribery and Corruption, and ought, in our Opinion, ever to be held *Sacred, Inviolable*, and a *fundamental Part* of our yet *free* Constitution, wanted still something, as we may judge, to make it more compleat, by establishing an Oath for the Elected, as well as the Electors, which being done by this Bill, we cannot but look upon it to have been a seasonable and necessary Addition to those Laws already enacted for the same Purpose, in order to guard us more strongly against the powerful and malignant Influence of *Wicked, Aspiring, and Despotick Ministers*, who invent no Artifices so likely to subvert the Liberties of the People, as by corrupting those who are chosen to defend them.

4. Because we apprehend the House of Commons may think themselves unkindly treated by us for rejecting a Bill sent from them, of great Consequence, by which they design'd only to secure their own Honour, and the Nation's Liberties, and that concerned only their own Members, without allowing it even the usual Forms of a Commitment; and the rest of our Fellow-Subjects, will we fear, hardly be charitable enough to think, that one House of Parliament could be perfectly unbiassed, when it refus'd so proper an Expedient to make, in a great Measure, the other so.

* Here add the Names of the Protesting Lords as above.

A B I L L, that all Proceedings in Courts of Justice within that Part of Great-Britain called England, and in the Court of Exchequer in Scotland, shall be in the English Language.

WHEREAS many and great Mischiefs do frequently happen to the Subjects of this Kingdom, from the Proceedings in Courts of Justice being in an unknown Language, those who are summoned and impleaded, having no Knowledge or Understanding

derstanding of what is alledg'd for or against them, in the Pleadings of their Lawyers and Attorneys, who use a Character not legible to any but Persons practising the Law.

To remedy these great Mischiefs, and to protect the Lives and Fortunes of the Subjects of that Part of *Great Britain* called *England*, more effectually than heretofore, from the Peril of being ensnared and brought into Danger, by Forms and Proceedings in Courts of Justice in an unknown Language be it enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in *Great Britain* in Parliament assembled, and by the Authority of the same, That from and after the Twenty Fifth Day of *March* One Thousand Seven Hundred and Thirty Three, all Writs, Process, and Returns thereof, and Proceedings thereon, and all Pleadings, Rules, Orders, Indictments, Informations, Inquisitions, Presentments, Verdicts, Prohibitions Certificates, and all Patents, Charters, Pardons, Commissions, Records, Judgments, Statutes Recognizances, Bonds, Rolls, Entries, Fines and Recoveries, and all Proceedings relating thereunto: And all Proceedings of Courts-Leet, Courts-Baron, and Customary Courts, and all Copies thereof: And all Proceedings whatsoever in any Courts of Justice within that Part of *Great-Britain* called *England*, and in the Court of Exchequer in *Scotland*, and which concern the Law and Administration of Justice, shall be in the *English* Tongue and Language only, and not in *Latin* or *French*, or any other Tongue or Language whatsoever; and shall be written in such a common legible Hand and Character as the Acts of Parliament are usually ingrossed in, and the Lines and Words of the same to be written at least as close as the same Acts usually are, and not in any Hand commonly called *Court-Hand*, and in Words at Length, and not abbreviated; any Law, Custom, or Usage heretofore to the contrary thereof notwithstanding. And all and every Person or Persons offending against this Act, shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same by Action of Debt, Bill, Complaint or Information, in any of his Majesty's Courts of Records in *Westminster-Hall*, or Court of Exchequer in *Scotland* respectively, wherein no Essoign, Protection or Wager of Law, or more than one Imparlance shall be allowed.

And be it further enacted by the Authority aforesaid, That Mistranslation, Variation in Form by Reason of Translation, Mispelling or Mistake in Clerkships or Pleadings, or Proceedings begun or to be begun before the said Twenty Fifth Day of *March*, One Thousand Seven Hundred and Thirty Three, being Part in *Latin* and Part in *English*, shall be no Error, nor make void any Pro-
any

ceedings by Reason thereof; but that all Manner of Mistranslation, Errors in Form, Mispellings, Mistakes in Clerkship, may, at any time be amended, whether in Paper, or on Record, or otherwise, before or after Judgment, upon Payment of reasonable Costs only.

Provided always, that nothing in this Act, nor any thing herein contained, shall extend to certifying beyond the Seas any Case or Proceedings in the Court of Admiralty, but that in such Cases the Commissions and Proceedings may be certified in *Latin* as formerly they have been.

And whereas several good and profitable Laws have been Enacted, to the Intent that the Parties in all manner of Actions and Demands might not be delayed and hindered from obtaining the Effect of their Suits after Issue tried, and Judgment given, by Reason of any subtile, ignorant or defective Pleadings, nor for any Defect in Form, commonly called Jeofailes, It is hereby Enacted and Declared, That all and every Statute and Statutes for the Reformation and Amending the Delays arising from any Jeofailes whatsoever, shall and may extend to all and every Form of Forms, and to all Proceedings in Courts of Justice (except in Criminal Cases) when the Forms and Proceedings are in *English*; and that all and every Error and Mistake whatsoever, which would or might be amended and remedied by any Statute of Jeofailes, if the Proceedings had been in *Latin*, all such Errors and Mistakes of the same and like Nature, when the Forms are in *English*, shall be deemed, and are hereby declared, to be amended and remedied by the Statutes now in Force for the Amendment of any Jeofailes. And this Clause shall be taken and construed in all Courts of Justice in the most ample and beneficial Manner, for the Ease and Benefit of Parties, to prevent frivolous and vexatious Delays.

F I N I S.

ceedings by Reason thereof, but that all manner of Mistakes
and Errors in Form, Mistakes, Mistakes in Clauses, and
any time be amended, whether in Paper, or on Record, or
writ, before the final Judgment, upon Payment of reasonable
Costs only.

Provided always, that nothing in this Act, nor any thing
in contained, shall extend to carrying beyond the same any
or Proceedings in the Court of Admiralty, but that in all
the Commissions and Proceedings, may be carried in Actions
formerly they have been.

And whereas several good and profitable Laws have been Enac-
ted, to the Intent that the Parties in all manner of Actions and
Proceedings might be relieved and hindered from obtaining the
Costs of their Suits after the trial and Judgment given by Reason
of any Error, Ignorance or Negligence, and for any other
in Form, commonly called Joinders, and Joinders, and Dis-
joinders, and all and every Statute and Statutes for the Reformation
and Amending the Delays arising from any Joinders whatsoever,
shall and may extend to all and every Form of Joinders, and to all
Proceedings in Courts of Justice (except in Criminal Cases) when
the Forms and Proceedings are in Error, and that all and every
Error and Mistake whatsoever, which would or might be reme-
died and remedied by any Statute of Joinders, if the Proceedings
had been in Latin, all such Errors and Mistakes of the Law and
like Nature, when the Forms are in English, shall be deemed, and
are hereby declared, to be remedied and remedied by the Statutes
now in Force for the Amendment of any Joinders. And this
Clause shall be taken and construed in all Courts of Justice in the
most ample and beneficial manner, for the Ease and Benefit of
Parties, to prevent frivolous and vexatious Delays.